

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ARLEEN KOSAK,)
individually and on behalf of all others)
similarly situated,)
Plaintiff,) Case No. 2:22-cv-11850-MFL-EAS
vs.) Hon. Matthew F. Leitman
NEW YORK MEDIA HOLDINGS, LLC,) **ORAL ARGUMENT**
Defendant.) **REQUESTED**

**DEFENDANT NEW YORK MEDIA HOLDINGS, LLC’S
MOTION FOR LEAVE TO FILE SUR-REPLY**

Defendant New York Media Holdings, LLC (“NYMH”) hereby moves to file a sur-reply in further support of its opposition to Plaintiff’s motion for leave to amend her First Amended Complaint (“FAC”). On reply, Plaintiff raised a new argument, not raised in her moving brief, in which she argues in a footnote that NYMH lacks standing to argue against her motion for leave amend. She is incorrect, and NYMH respectfully requests that the Court permit it to reply to this newly raised argument as set forth in the accompanying brief (Ex. 1 hereto).

Pursuant to Local Rule 7.1(a), counsel for NYMH consulted with counsel for Plaintiff prior to bringing this motion. Plaintiff's counsel did not concur in the relief requested.

Dated: March 3, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2023, a copy of the foregoing document was filed electronically and served by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing.

/s/ Kristen C. Rodriguez
Kristen C. Rodriguez